

# Austin & Rogers, P.A.

ATTORNEYS AND COUNSELORS AT LAW

WILLIAM FREDERICK AUSTIN  
(1930-2016)

TIMOTHY F. ROGERS  
RAYMON E. LARK, JR.  
RICHARD L. WHITT  
EDWARD L. EUBANKS  
W. MICHAEL DUNCAN\*

\* ALSO ADMITTED IN N.C.

**COLUMBIA OFFICE**  
CONGAREE BUILDING  
508 HAMPTON STREET, SUITE 300  
POST OFFICE BOX 11716 (29211)  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 256-4000  
FACSIMILE: (803) 252-3679  
WWW.AUSTINROGERSPA.COM

OF COUNSEL:  
JEFFERSON D. GRIFFITH, III

January 30, 2018

**VIA, ELECTRONIC FILING**

The Honorable Jocelyn Boyd  
Chief Clerk and Administrator  
The Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re: • **Docket Number 2018-2-E**  
• **Supplement to Petition to Intervene of Solbright Energy Solutions**

Dear Ms. Boyd:

Enclosed for filing, in the above-referenced Docket, please see the Supplement to Petition to Intervene, with Exhibit, Docket Cover Sheet and Certificate of Service.

All parties of record have been served. Please notify the undersigned if there is anything else you may need.

Respectfully Submitted,

/s/ \_\_\_\_\_  
Richard L. Whitt,  
Counsel for Solbright Energy Solutions.

RLW/cas

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2018-2-E**

IN RE: Annual Review of Base Rates for	)	<b>SUPPLEMENT</b>
Fuel Costs for South Carolina	)	<b>TO</b>
Electric & Gas Company	)	<b>PETITION</b>
	)	<b>TO</b>
	)	<b>INTERVENE</b>
	)	<b>(Exhibit "A", hereto)</b>

**INTRODUCTION**

This Commission established Commission Docket 2018-2-E, on October 4, 2017, for this Commission's Annual Review of Base Rates for Fuel Costs for South Carolina Electric & Gas Company, ("SCE&G"), pursuant to S.C. Code Ann. Section 58-27-865, *et. seq.*, (Supp. 2016) and **coincident** with this proceeding and pursuant to S.C. Code Ann. § 58-39-140, (Supp. 2016), the Commission will also determine whether an increase or decrease should be granted in the fuel cost component designed to recover the incremental or avoided costs incurred by SCE&G, to implement the Distributed Energy Resource program previously approved by this Commission.

Petitioner herein is Solbright Energy Solutions, LLC. This Petition to Intervene and this Supplement to Petition to Intervene is filed pursuant to R. 103-825, of this Commission's Rules and Regulations and other applicable Rules and Regulations of this Commission. Solbright's Petition to Intervene is also consistent with S.C. Code Ann. Section 58-27-865, *et. seq.*, (Supp. 2016), which allows participation by, "...all interested parties...." Petitioner seeks permission to intervene and be made a party of record in the above-referenced Docket, with full rights of participation. Solbright's Petition to Intervene and Supplement thereto, follows.

**PETITIONER**

Solbright Energy Solutions, LLC.

1. Solbright Energy Solutions, LLC is a Delaware Limited Liability Corporation, properly domesticated to conduct business in the State of South Carolina, with its principal place of business at 701 E. Bay Street, Suite 200, Charleston, South Carolina 29403, ("Solbright").

2. SolBright Energy Solutions is a Solar EPC firm providing engineering, procurement and construction of industry leading solar project designs. SolBright Renewable Energy is a turnkey developer of Solar Photovoltaic and Solar Thermal projects for long term, stable, distributed power solutions. Solbright focuses on military and commercial markets, with projects ranging in size from 20 kWp to 5,000 kWp.

3. Solbright's services include market assessment, design/engineering, installation, operation & maintenance/monitoring, financing and project ownership (where desired). Solbright has distinct competitive advantages for ground, parking canopy and roof-top solar applications that ensure integration with existing/new roof warranties. Solbright offers a broad range of U.S. and internationally manufactured products, including zero-penetration rooftop solar solutions and innovative, space-leveraging parking canopy/parking garage solar solutions and ground mount systems.

Request for Intervenor Status.

4. Solbright is financially impacted by this Commission's Review, as is outlined in more detail hereinbelow.

5. Specifically, Petitioner is conducting business with SCE&G, including sales to SCE&G's Consumers in SCE&G's assigned territory, and Petitioner Solbright has a material interest in this Commission's Review.

This Commission's Review.

6. This Commission is conducting a Review of SCE&G's fuel purchasing practices and policies pursuant to S.C. Code Ann. § 58-27-865, (Supp. 2016).

7. Coincident with this proceeding and pursuant to S.C. Code Ann. § 58-39-140, (Supp. 2016), the Commission will also determine whether an increase or decrease should be granted in the fuel cost component designed to recover the incremental or avoided costs incurred by SCE&G, to implement the Distributed Energy Resource program previously approved by this Commission.

8. This Commission's annual Review of SCE&G's fuel purchasing practices and policies will determine if any adjustment in the fuel cost recovery mechanism is necessary and reasonable.

9. As outlined hereinabove, Petitioner, Solbright has substantial business interests with SCE&G and SCE&G's Consumers in SCE&G's assigned territory in South Carolina.

10. Petitioner's position is that Solbright has a direct and substantial interest in the Review to be made by this Commission in this Docket and Petitioner's interests cannot be adequately addressed by any other party. Petitioner's further position is that Petitioner Solbright will be impacted by this Commission's decision upon its Review, outlined hereinabove.

Therefore, the decision of this Commission is important to the Petitioner from a financial standpoint. Petitioner's further position is that Intervention is contemplated by S.C. Code Ann. Section 58-27-865, *et. seq.* (Supp. 2016), and Petitioner's Intervention will aid this Commission by assisting in the development of a full and fair record to address the important Review to be conducted in this Docket. As shown above, Petitioner has a direct and material interest in this Commission's Review and Petitioner's interests are not adequately represented by the current parties in this Docket.

11. Solbright's Petition to Intervene and the Supplement thereto, is filed with this Commission on even date, as a result of Commission Directive Order No. 2018-14-H, issued on January 29, 2018.

12. Furthermore, Petitioner's Intervention is consistent with this Commission's long standing policy, "...in encouraging maximum public participation in issues before the Commission, and [Intervention] [is] allowed so that a full and complete record addressing...views and concerns can be developed." (Order No.: 2005-725, in Docket No.: 2005-270-G, dated December 16, 2005).

13. Petitioner should be allowed to intervene in this Docket, with full rights of cross-examination, discovery and participation in any Hearing to be scheduled in this Docket.

#### **PETITION TO INTERVENE**

14. The granting of Solbright Energy Solutions, LLC's Petition to Intervene is (i) contemplated by S.C. Code Ann. Section 58-27-865, *et. seq.* (Supp. 2016), (ii) in the public interest and (iii) consistent with the policies of this Commission in encouraging maximum public participation in issues before it and intervention should be allowed so that a full and complete record addressing its views and concerns can be developed.

15. Solbright Energy Solutions, LLC is represented by counsel in this proceeding:

Richard L. Whitt,  
**AUSTIN & ROGERS, P.A.**  
508 Hampton Street, Suite 300  
Columbia, South Carolina 29201  
Telephone: (803) 251-7442  
Facsimile: (803) 252-3679  
RLWhitt@AustinRogersPA.com.

**WHEREFORE**, Petitioner prays for the following relief:

- (a) That Solbright's Petition to Intervene and this Supplement, be accepted and that Petitioner be made a party of record;
- (b) That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and
- (c) For such other and further relief as is just and proper.

Respectfully Submitted,

/s/

---

Richard L. Whitt,  
**AUSTIN & ROGERS, P.A.**  
508 Hampton Street, Suite 300  
Columbia South Carolina, 29201  
803-251-7442  
Counsel for Petitioner, Solbright Energy Solutions,  
LLC.

January 30, 2018  
Columbia, South Carolina



701 EAST BAY ST, SUITE 302  
CHARLESTON SC 29403

## NOTICE TO INTERVENE

SolBright Energy Solutions is a solar EPC firm providing engineering, procurement and construction of industry leading solar project designs. SolBright Renewable Energy is a turnkey developer of Solar Photovoltaic and Solar Thermal projects for long term, stable, distributed power solutions. We focus on military and commercial markets, with projects ranging in size from 20 kWp to 5,000 kWp

Our services include market assessment, design/engineering, installation, operation & maintenance/monitoring, financing and project ownership (where desired). We have distinct competitive advantages for ground, parking canopy and roof-top solar applications that ensure integration with existing/new roof warranties. We offer a broad range of US and internationally manufactured products, including zero-penetration rooftop solar solutions and innovative, space-leveraging parking canopy / parking garage solar solutions and ground mount systems.

### Via SC PSC E-FILING DMS:

Joycelyn G Boyd, Esq.

Chief Clerk & Administrator

PSC of South Carolina

101 Executive Center Dr. Columbia SC 29210

---

Re: Annual Review of Base Rates for Fuel Costs for South Carolina Electric & Gas Company Docket No. 2018-2-E

Dear Ms. Boyd:

Please find attached for filing the Petition to Intervene of Solbright Energy Solutions in the above-referenced matter. By copy of this letter, I am serving all parties of record via Electronic Mail and First-Class Mail. Please contact me if you have any questions concerning this filing.

701 EAST BAY ST | SUITE 302 | CHARLESTON, SC 29403  
[WWW.SOLBRIGHTRE.COM](http://WWW.SOLBRIGHTRE.COM) | (843) 789-5910

Sincerely,

Andrew Streit  
Solbright Energy Solutions

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
IN RE: Annual Review of Base Rates for Fuel Costs  
for South Carolina Electric & Gas Company ) )

Docket No. 2018-2-E

PETITION TO INTERVENE OF Solbright Energy Solutions (SES) LLC South Carolina

(“SES”) hereby petitions to intervene as a party of record in the above-captioned proceeding. SES states the following grounds in support of its petition.

- 1) SES has 6 outstanding projects that were awarded BCA through the DER program initiated by act 236.
- 2) These projects are hosted by Walmart Store East LP, we are extremely lucky and grateful to be working for Walmart and the Lessor C2 WM Leasing LLC but due to the incredible volume of business at Walmart conducts during Halloween through New Year’s we had a no construction order
- 3) SES’s mailing address is: 701 East Bay St, suite 302 Charleston 29403
- 4) Andrew Streit is authorized to accept service of papers in this proceeding on behalf of SES.

WHEREFORE, for the reasons set forth above, SES respectfully requests permission to intervene in this proceeding. Respectfully submitted, **Andrew M Streit**, Director of Business Development | **Solbright Energy Solutions**  
**m: (803) 665-6688 a: 701 E. Bay Street | Suite 302 | Charleston, SC 29403**

SOLBRIGHT ENERGY SOLUTIONS, LLC 2

ELECTRONICALLY FILED - 2018 January 25 4:47 PM - SCPSC - Docket # 2018-2-E



**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2018-2-E**

IN RE: Annual Review of Base Rates for       )  
      Fuel Costs for South Carolina       )  
      Electric & Gas Company       )  
                                                          )

**CERTIFICATE OF SERVICE**

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have served copies of the Docket Cover Sheet, Supplement to Petition to Intervene of Solbright Energy Solutions, with Exhibit and this Certificate of Service, in the above-referenced Docket, as indicated below, via electronic mail on January 30, 2018.

**Andrew M. Bateman**

Email: abateman@regstaff.sc.gov

**Benjamin P. Mustian**

Email: bmustian@willoughbyhoefer.com

**Jenny R. Pittman**

Email: jpittman@regstaff.sc.gov

**K. Chad Burgess**

Email: chad.burgess@scana.com

/s/ \_\_\_\_\_  
Carrie A. Schurg

January 30, 2018  
Columbia, South Carolina